



MINUTES

SANTA MONICA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
SPECIAL MEETING

TUESDAY, MARCH 17, 2020

Santa Monica College
1900 Pico Boulevard
Santa Monica, California

Board Room
Business Building Room 117

BOARD OF TRUSTEES	SPECIAL MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	March 17, 2020

MINUTES

The Santa Monica Community College District Board of Trustees held a Special Meeting on Tuesday, March 17, 2020 at 5:30 p.m. in Santa Monica College Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California.

I. ORGANIZATIONAL FUNCTIONS

A CALL TO ORDER - 5:30 p.m.

B ROLL CALL

In accordance with Executive Order N-25-20 issued by Governor Gavin Newsom and dated March 12, 2020, members of the Board of Trustees participated in the meeting by Zoom Conference.

- Dr. Nancy Greenstein, Chair - Present
- Dr. Susan Aminoff, Vice-Chair - Present
- Dr. Louise Jaffe – Present
- Dr. Margaret Quiñones-Perez - Present
- Rob Rader - Present
- Dr. Sion Roy Present
- Barry A. Snell - Present
- Brooke Harrington, Student Trustee - Absent

II. PUBLIC COMMENTS - None

III. MAJOR ITEMS OF BUSINESS

- 1 Information/Discussion: COVID-19 Update
- #2 Resolution Declaring Emergency Conditions Exist at Santa Monica College and Authorizing the Superintendent/ President to Take Any and All Necessary Actions to Prepare and Respond to the Novel Coronavirus (COVID-19)

IV. ADJOURNMENT – 7:06 p.m.

The next regular meeting of the Santa Monica Community College District Board of Trustees will be held on Tuesday, April 7, 2020 at 7 p.m. (5:30 p.m. if there is a closed session) in the Santa Monica College Board Room and Conference Center, Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	March 17, 2020

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 2

SUBMITTED BY: Superintendent/President

SUBJECT: **RESOLUTION OF THE BOARD OF TRUSTEES OF THE SANTA MONICA COMMUNITY COLLEGE DISTRICT DECLARING EMERGENCY CONDITIONS EXIST AT SANTA MONICA COLLEGE AND AUTHORIZING THE SUPERINTENDENT/PRESIDENT TO TAKE ANY AND ALL NECESSARY ACTIONS TO PREPARE AND RESPOND EFFECTIVELY TO THE NOVEL CORONAVIRUS (COVID-19)**

REQUESTED ACTION: It is recommended that the Board of Trustees approve the following resolution.

WHEREAS, on March 4, 2020, the Governor of California declared a State of Emergency due to the outbreak and spread of a novel coronavirus (COVID-19); and

WHEREAS, on March 4, 2020, the Board of Supervisors of the County of Los Angeles and the Department of Public Health declared a local and public health emergency in response to the increased spread of COVID-19 in the county; and

WHEREAS, as on March 13, 2020, the City of Santa Monica issued a local emergency proclamation in response to the COVID-19 public health emergency, to enhance the City's ability to access federal and state dollars for response; and

WHEREAS, as of March 16, 2020, there are 94 COVID-19 cases and one death in Los Angeles County and hundreds of additional cases throughout California; and

WHEREAS, strict compliance with various statutes and regulations would prevent, hinder or delay appropriate actions to prevent and mitigate the effects of COVID-19; and

WHEREAS, it is imperative to prepare for and implement measures to respond to the potential spread of COVID-19; and

WHEREAS, it is imperative to have the tools to ensure the health and safety of students, staff, and families on our campuses; and

WHEREAS, it is imperative to have the tools to ensure student learning continues if instruction and/or services need to be conducted from alternate locations or virtual learning environments; and

WHEREAS, with the guidelines provided by Governor Newsom on March 3, 2020 it is imperative that employees be allowed to take a leave of absence due to being quarantined or staying home after recently returning from Level 3 countries or being sick from Coronavirus or illnesses with similar symptoms (e.g., cough, fever, shortness of breath) during this state of emergency; and

WHEREAS, the protection of the health and safety and preservation of the lives and property of the people of the State from the effects of natural emergencies such as COVID-19 which may result in conditions of disaster or in extreme peril to life, property, and resources is of paramount State importance requiring the responsible efforts of public and private agencies and individual citizens, and all public employees required to serve as disaster service workers subject to such disaster service activities as may be assigned to them by their supervisors or by law under Government Code Section 3100; and

WHEREAS, of the Public Contract Code Section 1102 defines “emergency” to mean a “sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services,” and Public Resources Code Section 21060.3 and California Environmental Quality Act Guidelines 14 CCR Section 15269(c) defines “emergency” to mean “a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. ‘Emergency’ includes such occurrences as fire, flood, earthquake, or other soil or geological movements, as well as such occurrences as riot, accident, or sabotage.”

WHEREAS, under California Public Contract Code Section 20654, in an emergency when any repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school classes, or to avoid danger to life or property, the board may, by unanimous vote, with the approval of the county superintendent of schools during only the timeframe of this state of emergency do the following: make a contract in writing or otherwise on behalf the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bid; and

NOW, THEREFORE, the Board of Trustees of the Santa Monica Community College District resolves as follows:

1. Determines that the circumstances described in this Resolution constitute an emergency condition.
2. By unanimous vote pursuant to Public Contract Code Section 20654 and subject to approval by the Los Angeles County Superintendent of Schools, authorizes the execution of contracts without advertising or inviting bids and, notwithstanding Public Contract Code Section 20114, authorizes the use of maintenance personnel or force account notwithstanding Public Contract Code Section 20655 in order to respond to the emergency conditions at District Sites.
3. Authorizes the Superintendent/President to take any and all actions necessary to ensure the continuation of public education, and the health and safety of the students and employees at the District Sites, including, but not limited to: (a) the relocation of students, faculty, and staff, provision of alternative educational programming and operational options including, without limitation, temporarily transitioning courses, instruction and other operations to a remote learning environment and mode of operation, (b) directing all District employees to serve as disaster service workers pursuant to Government Code Section 3100, and (c) making alterations, repairs or improvements to school property, services and programs.
4. Authorizes the Superintendent/President to enter into memorandums of understanding with employee organizations for the provision of leaves of absence with pay to employees due to quarantine or self-quarantine, recent return from countries requiring self-quarantine, sickness of the employee or the employee’s cohabitants from COVID-19 or illnesses with similar symptoms (cough, fever, shortness of breath) without any impact to their benefit time pursuant to Education Code Sections 87765

and 88199, or unable to work because of the closure of the College. The Superintendent/President is authorized to provide the same additional paid leave to academic administrators, managers, and non-permanent employees.

5. Authorizes the Superintendent/President to negotiate temporary rent/facility use fee reductions or suspensions with food service vendors because of the likelihood that sales will dramatically drop as the College transitions to a remote learning environment.

6. Effective immediately, the following persons shall not enter any facility or property of Santa Monica College:

- a. Persons who have traveled to any countries, within the last 14 days, for which the CDC has issued Level Two or Level Three travel health notices. As of the date of this Resolution, Level Three countries include China, Iran, Italy, and South Korea. The remainder of the world is subject to a Level 2 Global COVID-19 Outbreak Alert.
- b. Persons who reside or have had close contact with someone who has traveled to any of those countries within the last fourteen days.
- c. Persons who have been asked to self-quarantine by any doctor, hospital, or health agency during the period of such self-quarantine.
- d. Persons who have been diagnosed with, or have had contact with, anyone who has been diagnosed with the coronavirus until cleared by a medical professional.
- e. Persons with apparent symptoms of COVID-19, such as fever, severe cough, and shortness of breath.

The Superintendent/President is authorized to impose additional restrictions on campus entry as circumstances warrant.

7. The authorizations set forth in this Resolution shall not abrogate the terms and conditions of any collective bargaining agreement, nor shall such actions violate state collective bargaining statutes. The District is committed to working closely with all collective bargaining agents as it deals with the complicated and varied employment questions that will arise in the coming weeks as the COVID-19 global pandemic impacts the College community.

PASSED AND ADOPTED this 17th day of March 2020 by the following votes:

MOTION MADE BY: Sion Roy

SECONDED BY: Barry Snell

ROLL CALL VOTE:

Susan Aminoff	Aye
Nancy Greenstein	Aye
Louise Jaffe	Aye
Margaret Quiñones-Perez	Aye
Rob Rader	Aye
Sion Roy	Aye
Barry Snell	Aye

NOES: None